

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

IN RE: CAPITAL ONE CONSUMER)	MDL No. 1:19md2915 (AJT/JFA)
DATA SECURITY BREACH LITIGATION)	
_____)	JURY TRIAL DEMANDED

This Document Relates to the Consumer Cases

**PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT
FOR BREACH OF CONTRACT**

Representative Plaintiffs Emily Behar, Brandi Edmondson, Emily Gershen, Brandon Hausauer, Sara Sharp, John Spacek, Caralyn Tada, and Gary Zielicke, respectfully move for partial summary judgment. For the reasons set forth in the accompanying memorandum of law and supporting exhibits, Plaintiffs seek partial summary judgment for their Breach of Contract claim (Count 6), or alternatively their Breach of Implied Contract claim (Count 7). Doc. 971, Second Am. Rep. Consumer Class Action Complaint.

DATED: July 2, 2021

Respectfully Submitted,

/s/ Steven T. Webster

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CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

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